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Hon. Kenneth M. Karas
 Civil Action File No. 08-CV-00240-KMK-GAY

UNITED STATES DISTRICT COURT FOR
 THE SOUTHERN DISTRICT OF NEW YORK

ELAINE CHAO, SECRETARY OF LABOR,
 UNITED STATES DEPARTMENT of LABOR,

Plaintiff,

v.

CABLE LINE LLC,

Defendant.

: Civil Action
 : File No. 08-CV-00240-KMK-GAY
 : CONSENT JUDGMENT

Plaintiff, the Secretary, has filed her complaint and, without admitting any of the violations alleged in the complaint, defendant appeared by Counsel and waives its answer, and agrees to the entry of this Judgment without contest. Defendant acknowledges its responsibilities pursuant to this agreement, and acknowledges that it will be subject to sanctions in contempt of this Court if it fails to comply with the provisions of this Judgment. It is, therefore, upon motion of the attorneys for plaintiff and for cause shown:

I. ORDERED, ADJUDGED, AND DECREED that defendant Cable Line, LLC, its officers, related and successor businesses, agents, employees, and all persons acting or claiming to act in its behalf and interest are permanently enjoined and restrained from violating the provisions of sections 7, 15(a)(2), and 15(a)(5) of the Fair Labor Standards Act of 1938, as amended, (29 U.S.C. Section 201 et seq.), (the Act), in any of the following manners:

(1) Defendant shall not, contrary to Section 7 of the Act, employ any of its employees in any workweek who are engaged in commerce or in the production of goods for commerce, or employed in an enterprise engaged in commerce or in the production of goods for commerce, within the meaning of the Act, for workweeks longer than the hours now, or which in the future become, applicable under Sections 7 and 15(a)(2) of the Act, unless the employees receive

compensation for their employment in excess of the prescribed hours at rates not less than one and one-half times the employees' regular rates.

(2) Defendant shall not fail to make, keep, and preserve adequate records of its employees and of the wages, hours, and other conditions and practices of employment it maintains as prescribed by the Regulations issued pursuant to Section 11(c) of the Act and found at 29 CFR Part 516.

II. Further, the Court finding, as agreed by defendant, that overtime compensation is due certain employees in the amount of \$60,000.00; it is ORDERED, ADJUDGED AND DECREED that the defendant and all persons acting or claiming to act in its behalf and interest are enjoined and restrained from withholding the payment of \$60,000.00 due to its employees in the amounts listed opposite their names on Exhibit A. Payment of the overtime compensation has been made.

III. The provisions of this order relative to back wage payments have been satisfied by defendant's delivery of a certified check in the amount of \$60,000 made payable to "Wage-Hour, Labor" to plaintiff's representative, Sonia Rybak, Assistant District Director, U. S. Department of Labor, Wage-Hour Division, 140 Grand Street, Suite 304, White Plains, New York 10601.

IV. The Secretary shall distribute the defendants' payments to the employees and former employees, or to their estates, as set forth in Exhibit A.

V. Defendant shall make available to plaintiff the social security number and last known address of each employee or former employee listed in Exhibit A of this judgment.

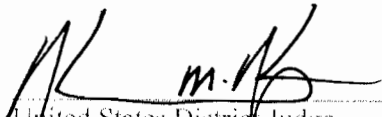
VI. Neither defendant nor any one on its behalf shall directly or indirectly solicit or accept the return or refusal of any sums paid as back wages under this Judgment.

VII. Any sums not distributed to the employees, or to their personal representatives because of inability to locate the proper persons or because of such persons' refusal to accept such sums, shall be deposited with the Clerk of this Court who shall forthwith deposit such money with the Treasurer of the United States pursuant to 28 U.S.C. §§2041 and 2042.

VIII. ORDERED that neither the commencement of this action nor the provisions of this Consent Judgment shall in any way affect, determine, or prejudice any and all legal rights of any employees or former employees of defendants not listed in Exhibit A, be they current or former employees, to file any action against defendants under section 16(b) of the Act, or likewise for any current or former employee listed in Exhibit A to file any action against defendants under section 16(b) of the Act for any violations alleged to have occurred after April 30, 2006; and it is further


IX. FURTHER ORDERED, ADJUDGED, AND DECREED that each party will bear its own fees and other expenses incurred by such party in connection with any stage of this proceeding.


“ DATED: January 18, 2008
White Plains, New York


United States District Judge
HONORABLE KENNETH M. KARAS

Defendant appeared by counsel and waived its answer and any defense to the Complaint, and consent to the entry of this Judgment.

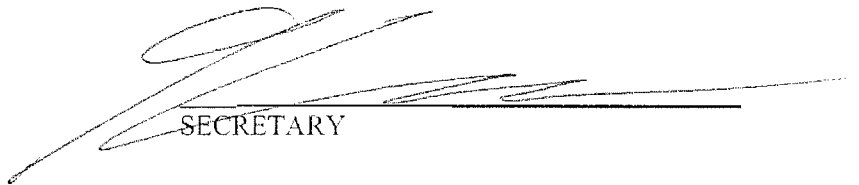
CORP.
SEAL

CABLE LINE, LLC
BY: 
KEVIN DIEHL, President


GEOFFREY L. BEAUCHAMP, ESQ.
Attorney for Defendant

RESOLVED, that the corporation, CABLELINE LLC., ratifies and confirms the offer made to ELAINE L. CHAO, Secretary of Labor, with respect to the alleged violations of the Fair Labor Standards Act of 1938, as amended, and that the corporation consents to the entry of this Judgment against it to be entered in an action which has been filed by the Secretary of Labor against the corporation. The officers of the corporation are authorized to do and perform all acts and things necessary to effectuate the provisions of said Judgment and any or all stipulations, amendments and changes therein.

The undersigned, KEVIN DIEHL, secretary of the corporation certifies that the foregoing is a true copy of a resolution adopted by the Board of Directors at a meeting of the Board on 11/23/, 2007. The undersigned further certifies that KEVIN DIEHL, whose signature appears below is an officer of the corporation who has duly been authorized by resolution to execute the consent to the entry of this Judgment on behalf of the corporation.



SECRETARY

CORP.
SEAL

STATE OF PENNSYLVANIA)
 :SS:

COUNTY OF BUCKS)

On the 23 day of NOV 2007 before me personally appeared KEVIN DIEHL known to me to be the individual who executed the foregoing instrument and he duly acknowledged to me that he executed the same.



NOTARY PUBLIC

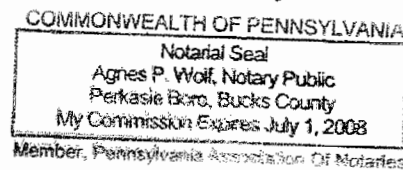


EXHIBIT A

Summary of Unpaid Wages

U.S. Department of Labor

Employment Standards Administration

Wage and Hour Division



(Office Address) Hudson Valley Area Office
US Dept. of Labor, ESA, Wage & Hour Div
140 Grand Street
Suite 304
White Plains, NY 10601-
914-682-6348

Investigator:

Paul Sekscenski

Date:

11/19/2007

Employer Fed Tax ID Number

33-0998953

1. Name	2. Address	3. Period Covered by Work Week Ending Dates	4. Act(s)	5. Gross Amounts Due
Abreu, Albert			1	\$63.28
Adams, Duane			1	\$794.10
Adams, Michael			1	\$2,329.79
Aguilar, Henry			1	\$579.08
Akins, Donshane			1	\$144.58
Allen, David			1	\$235.91
Amilcar, Georges			1	\$185.56
Anastha, Marc			1	\$1,123.07
Arroyo, Juan			1	\$676.88
Ayala, Angel			1	\$2,069.62
Bednar, Stanley			1	\$3,322.86
Brown, James			1	\$414.48
Brown, Rohan			1	\$1,411.06
Buigues, Gary			1	\$4,987.20
Bwalya, Roni			1	\$59.60
Cable, Jr, Daniel			1	\$318.45

I agree to pay the listed employees the
back wages shown due and to mail
proof of payment to the Wage and Hour
District Office shown above by
12/29/2007

Signed:

Employer Name and Address:

Cable Line, LLC
Cable Line, Inc.
204 Saw Mill River Road

Elmsford, NY 10523

Subtotal \$18,715.52

* Column 4-Code

FLSA 1
PCA 2
SCA 3
DBRA 4
CWHSSA 5
CCPA 6
FMLA 7

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Summary of Unpaid Wages

U.S. Department of Labor

Employment Standards Administration

Wage and Hour Division



(Office Address) Hudson Valley Area Office
 US Dept. of Labor, ESA, Wage & Hour Div
 140 Grand Street
 Suite 304
 White Plains, NY 10601-
 914-682-6348

Investigator:

Paul Sekscenski

Date:

11/19/2007

Employer Fed Tax ID Number

33-0998953

1. Name	2. Address	3. Period Covered by Work Week Ending Dates	4. Act(s)	5. Gross Amounts Due
Crewe, Charlton			1	\$1,065.24
Cuervo, Alexander			1	\$930.88
DeFellipes, Tina			1	\$52.89
DeLoatch II, Jeffrey			1	\$505.09
DiPaola, Jr, Michael			1	\$138.09
Dockery, John			1	\$263.06
Doherty, Daniel			1	\$956.13
Donnelly, John			1	\$190.45
Emmanuel, Christian			1	\$850.57
Espinal, Jose			1	\$962.17
Feliz, Cesar			1	\$405.04
Figueroa, Michael			1	\$1,515.15
Fisher, Delano			1	\$569.69
Fisk, Adam			1	\$51.54
Fonseca, Darin			1	\$456.31
Fortune, Chauncey			1	\$2,105.83

I agree to pay the listed employees the
 back wages shown due and to mail
 proof of payment to the Wage and Hour
 District Office shown above by

12/29/2007

Signed:

Employer Name and Address:

Cable Line, LLC
 Cable Line, Inc.
 204 Saw Mill River Road

Elmsford, NY 10523

Subtotal \$11,018.13

* Column 4-Code

FLSA 1
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Summary of Unpaid Wages

U.S. Department of Labor

Employment Standards Administration

Wage and Hour Division



(Office Address) Hudson Valley Area Office
 US Dept. of Labor, ESA, Wage & Hour Div
 140 Grand Street
 Suite 304
 White Plains, NY 10601-
 914-662-6348

Investigator:

Paul Sekscenski

Date:

11/19/2007

Employer Fed Tax ID Number

33-0998953

1. Name	2. Address	3. Period Covered by Work Week Ending Dates	4. Act(s)	5. Gross Amounts Due
Galvin, Bryan			1	\$297.51
Gardener, Graham V			1	\$857.11
Giraldo, Carlos			1	\$23.12
Gittens, Cassius			1	\$464.06
Gordon, Eric			1	\$1,325.09
Grant, Neville			1	\$345.73
Harrison, Nathan			1	\$35.97
Hasher, Chandra			1	\$247.77
Hernandez, Carlos			1	\$57.30
Hernandez, David			1	\$23.32
Hernandez, Francisco			1	\$215.18
James, Joseph			1	\$121.21
James, Rodney			1	\$2,689.97
Jarrett, Patrick			1	\$55.53
Jeanniton, Albert			1	\$55.73
Jennings, Jason			1	\$985.10

I agree to pay the listed employees the
 back wages shown due and to mail
 proof of payment to the Wage and Hour
 District Office shown above by

12/29/2007

Signed:

Employer Name and Address:

Cable Line, LLC
 Cable Line, Inc.
 204 Saw Mill River Road

Elmsford, NY 10523

Subtotal

\$7,799.70

* Column 4-Code

FLSA 1
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Summary of Unpaid Wages

U.S. Department of Labor

Employment Standards Administration

Wage and Hour Division



(Office Address) Hudson Valley Area Office
 US Dept. of Labor, ESA, Wage & Hour Div
 140 Grand Street
 Suite 304
 White Plains, NY 10601-
 914-682-6346

Investigator:

Paul Sekscenski

Date:

11/19/2007

Employer Fed Tax ID Number

33-0998953

1. Name	2. Address	3. Period Covered by Work Week Ending Dates	4. Act(s)	5. Gross Amounts Due
Johnson, Kawan			1	\$383.96
Joseph, Dale			1	\$3,746.33
Kibe, Peter			1	\$1,648.74
Lane, Christopher			1	\$435.41
Lelis, Jorge			1	\$4,631.32
Linton, Otis			1	\$77.05
Loza, Samuel			1	\$687.73
Martinez, Nelson			1	\$1,070.26
McLaurin, Charles B			1	\$314.50
Moore, Barry			1	\$189.94
Owens, Jason			1	\$40.17
Pagan, Michael			1	\$313.30
Paniagua, Daniel			1	\$1,556.55
Peters, Anton			1	\$60.46
Phillips, Benard			1	\$624.79
Rivers, Everett O			1	\$1,165.21

I agree to pay the listed employees the
 back wages shown due and to mail
 proof of payment to the Wage and Hour
 District Office shown above by

12/29/2007

Signed:

Employer Name and Address:

Cable Line, LLC
 Cable Line, Inc.
 204 Saw Mill River Road

Elmsford, NY 10523

Subtotal \$16,945.72

* Column 4-Code

FLSA 1
 PCA 2
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U.S. Department of Labor

Employment Standards Administration

Wage and Hour Division



(Office Address) Hudson Valley Area Office
US Dept. of Labor, ESA, Wage & Hour Div
140 Grand Street
Suite 304
White Plains, NY 10601-
914-682-0343

Investigator:

Paul Sekscenski

Date:

11/19/2007

Employer Fed Tax ID Number

33-0998953

1. Name	2. Address	3. Period Covered by Work Week Ending Dates	4. Act(s)	5. Gross Amounts Due
Rojas, Robert			1	\$70.03
Rushton, Christopher			1	\$92.31
Satchell, Nicholas			1	\$331.70
Slips, Richard			1	\$66.16
Soriano, Dhimas			1	\$1,814.42
Starr, Kevin			1	\$38.63
Stewart, Joseph			1	\$26.61
Taveras, Ali			1	\$431.94
Tucker, Barry			1	\$239.55
Tucker, Charlie W			1	\$866.43
Whyte, Ernel			1	\$37.32
Windover, Brian			1	\$116.81
Wishart, Horace			1	\$858.35
Wood, Patrick			1	\$92.83
Yanazzo, Joseph L			1	\$24.39
Zappier, Steven			1	\$413.45

I agree to pay the listed employees the
back wages shown due and to mail
proof of payment to the Wage and Hour
District Office shown above by

12/29/2007

Signed:

Employer Name and Address:

Cable Line, LLC
Cable Line, Inc.
204 Saw Mill River Road

Elmsford, NY 10523

TOTAL \$60,000.00

* Column 4-Code

FLSA 1
PCA 2
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DBRA 4
CWHSSA 5
CCPA 6
FMLA 7

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